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Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

Repertory of Practice of United Nations Organs and *Repertoire of the Practice of the Security Council*

Report of the Secretary-General**

I. Introduction

1. The present progress report has been prepared pursuant to paragraph 4 of General Assembly resolution 54/106 of 9 December 1999, in which the Assembly took note of paragraph 33 of the 1999 report of the Secretary-General (A/54/363), commended him for his continued efforts to reduce the backlog in the publication of the *Repertory of Practice of United Nations Organs*, and endorsed his efforts to eliminate the backlog in the publication of the *Repertoire of the Practice of the Security Council*.

2. In paragraph 33 of his 1999 report, the Secretary-General had called upon the General Assembly to:

(a) Note that volume VI of Supplement No. 6 to the *Repertory of Practice of United Nations Organs* had been published in August 1999 (English version);

(b) Note that volumes III (Articles 55-72) and IV (Articles 73-91) of Supplement No. 5 to the *Repertory* would be completed and published in 2000;

(c) Note that work had started on volumes I, II and V of Supplement No. 6 to the *Repertory*, which would be completed in the next biennium (2000-2001), while work on volumes III and IV of Supplement No. 6 to the *Repertory* would begin during 2000-2001;

(d) Note that those Secretariat units which had already completed their contribution to Supplement No. 6 to the *Repertory* might start work on Supplement No. 7 to the *Repertory*;

(e) Note that *Repertory*-related tasks were included as distinct activities within the relevant section of programme budgets of the Organization, starting with the biennium 2000-2001;

(f) Note that the eighth and ninth Supplements to the *Repertoire of the Practice of the Security Council* had been published in French and that the tenth Supplement was scheduled to be published in English by the beginning of 2000 and in French in the second half of 2000;

(g) Note that studies for the eleventh Supplement to the *Repertoire* were under preparation;

(h) Consider ways and means of eliminating the backlog in the *Repertoire*, taking into account the requirements for training, experience and continuity;

* A/55/150.

** The footnote requested by the General Assembly in its resolution 54/248 was not included in the submission.

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(i) Note the efforts of the Secretary-General to reduce the backlog of the Supplements to the *Repertory* and to the *Repertoire*.

II. *Repertory of Practice of United Nations Organs*

A. Steps undertaken by the Secretariat to expedite the preparation of Supplements to the *Repertory of Practice of United Nations Organs*

1. Interdepartmental Committee on Charter Repertory

3. Following the adoption of General Assembly resolution 54/106, the Interdepartmental Committee on Charter Repertory[1] held three meetings, inter alia, to review the status of the preparation of volumes III and IV of Supplement No. 5 (1970-1978), volumes I, II and V of Supplement No. 6 (1979-1984) as well as future priority volumes; to review the implementation of the work programme for the 2000-2001 biennium; and to continue the review of the Manual for the Preparation of the *Repertory of Practice of United Nations Organs*.

(a) Review Committee of the Interdepartmental Committee on Charter Repertory

4. During the period under review, the Review Committee of the Interdepartmental Committee on Charter Repertory, consisting of the Office of Legal Affairs, the Department of Political Affairs and the respective coordinating and author departments, was convened to review volumes III and IV of Supplement No. 5. The Review Committee approved both volumes for publication. Such approval was subsequently communicated to the Interdepartmental Committee. The Review Committee was also convened to commence the review of studies for volume I of Supplement No. 6.

(b) Redistribution of *Repertory* studies allocated to Secretariat units

5. The allocation of *Repertory* studies to various Secretariat units, as modified in 1998 (A/53/386, para. 10) and 1999 (A/54/363, para. 6), was further amended by the Interdepartmental Committee on Charter Repertory in 2000, by joint agreement, to reflect the reallocation of the Repertory study for article 70, which had been initially allocated to the Department of General Assembly Affairs and Conference Services, to the Department of Economic and Social Affairs. A portion of article 13 (1) (a) was also allocated to the Department of Political Affairs. An updated listing of departmental allocations is contained in annex I to the present report.

(c) Updating the Manual for the Preparation of the *Repertory of Practice of United Nations Organs*

6. In 2000, the Interdepartmental Committee on Charter Repertory continued its consideration of the possible updating of the Manual for the Preparation of the *Repertory of Practice of United Nations Organs*, as described in the 1999 report of the Secretary-General (A/54/363, paras. 7 and 8). The Committee continued its review of the Draft Guidelines on the Preparation and Submission of *Repertory* Draft Studies, prepared by the Office of Legal Affairs, in the light of its experience in 1999 and 2000 in connection with the preparation and submission of draft studies for volumes III and IV of Supplement No. 5, and with a view to eventual incorporation into the revised Manual.

2. Training seminars on preparing the *Repertory*, conducted by the Office of Legal Affairs

7. The Office of Legal Affairs, in its capacity as overall coordinator for the preparation of the *Repertory*, held a further three training seminars in 2000 (20 January, 28 February and 16 June) on the preparation of the *Repertory*. The seminars, held annually since 1998, were open to all participating Secretariat units with a view to adopting a common approach to researching and writing the *Repertory*. Further seminars will be held in the future as required.

3. Recourse to interns

8. As in previous years, resort to interns in the research and compilation of data for the preparation of draft *Repertory* studies continued to be an important element of the work on the *Repertory* during 2000. The Interdepartmental Committee continues to be of the view that the overall contribution of interns to the preparation of *Repertory* studies is constrained by the necessary training and oversight responsibilities required of supervisors. Furthermore, the two-month time limit placed on the period of service of interns continues to restrict their ability to make a substantial

contribution to the studies in question (see A/53/386, para. 13). The same considerations outlined in the previous report continued to apply in 2000.

9. However, it should be noted that changes to the internship programme are being considered. A new administrative instruction currently under preparation will allow the normal duration of internship to be extended to four months and as long as six months if there are special academic requirements or special needs of the receiving office. This change will be highly beneficial for future *Repertory*-related work.

B. Status of the *Repertory of Practice of United Nations Organs*

1. Preparation of volumes referred to in paragraph 59 (b) of the 1997 report of the Secretary-General

10. In the 1999 report of the Secretary-General (A/54/363, paras. 15 and 16), it was reported that while volume VI of Supplement No. 6 had been published in August 1999, work on volumes III and IV of Supplement No. 5 was to be completed in 1999.

11. With regard to volume III of Supplement No. 5, the outstanding studies on the articles were completed and submitted to the Review Committee. The Review Committee approved the studies in mid-2000 and transmitted them to the Department of Economic and Social Affairs (coordinating department of the volume), which submitted the volume for publication.

12. With regard to volume IV of Supplement No. 5, the studies in question were completed by the Department of Political Affairs and were submitted to the Review Committee for review and approval. The Review Committee approved the studies in mid-2000. The Department of Political Affairs (coordinating department of the volume) submitted the volume for publication.

13. Following the conclusion of work on volumes III and IV of Supplement No. 5, the Supplement is complete. However, owing to a longer than envisaged preparatory process and a heavy publication schedule during the second half of 2000, publication of both volumes is expected in early 2001. Once those volumes are published, the indexing of the entire Supplement No. 5 will be undertaken by the Department of Public Information, in 2001.

2. Preparation of volumes referred to in paragraph 33 (c) of the 1999 report of the Secretary-General

14. In paragraph 33 (c) of the 1999 report, the Secretary-General pointed out that work on volumes I (Articles 1-8) and II (Articles 9-22) and V (Articles 73-91) of Supplement No. 6 would be completed in the next biennium (2000-2001), while work on volumes III (Articles 23-54, 106, 107) and IV (Articles 55-72), would begin during 2000-2001.

15. With regard to volume I of Supplement No. 6, all of the studies have been completed and submitted for review and the volume as a whole will be approved by the Review Committee for publication by the end of 2000. It is anticipated that the volume will be published in 2001.

16. Concerning volume II of Supplement No. 6, work has progressed considerably and most of the studies will be completed by the end of 2000. It is anticipated that work on the volume will be finalized in the latter part of 2001.

17. Concerning volumes III and IV of Supplement No. 6, the Secretary-General reported in 1999 that it was not possible at that stage to make any definite projections on their completion. However, the Secretary-General is now in a position to report that work on both volumes has progressed during the current year, and that volume IV will be completed by the end of 2001.

18. Concerning volume V of Supplement No. 6, most of the substantial work has been completed. Subject to revisions and modifications, the volume will be finalized by mid-2001.

3. Work undertaken on future priority volumes

19. In 1999, the Secretary-General noted, in his report (A/54/363, para. 19), that those Secretariat units which had already completed their contribution to Supplement No. 6 might start work on Supplement No. 7, covering the period from 1 January 1985 to 31 December 1988. With regard to volumes II and VI of Supplement No. 7, the Office of Legal Affairs is in the process of completing its contribution during the current year. With regard to volume IV of Supplement No. 7, once the Department of Economic and Social Affairs has completed its portion of volume IV of Supplement No. 6 in the current year, it will begin

drafting its contribution to volume IV of Supplement No. 7. With regard to volume IV for subsequent Supplements, the Department of Economic and Social Affairs will advance its contribution to Supplements No. 8 (1 January 1990 to 31 December 1994) and No. 9 (1 January 1995 to 31 December 1999) of the volume by the end of the biennium 2002-2003, provided that adequate funds are made available.

4. Translation of Supplement No. 6, volume VI, into French and Spanish

20. Following the publication of volume VI of Supplement No. 6 in 1999 in English, the translation into the other two languages in which the *Repertory* is produced (French and Spanish) was commenced in 2000. It is expected that the French version of volume VI will be published at the end of 2000. It is expected that the Spanish version of volume VI will be produced before the end of 2000. With regard to volumes III and IV of Supplement No. 5, both volumes will be translated into French and Spanish in 2001.

5. Placement of *Repertory* volumes on the Internet

21. Taking into consideration the fact that several volumes of the *Repertory* are no longer available in printed form, a pilot project commenced in 2000 with a view to placing *Repertory* volumes on the Internet.

C. Assessment of action required

22. The Interdepartmental Committee on Charter Repertory noted that adequate budgetary resources should continue to be provided on a regular basis for *Repertory*-related tasks, with a view to eliminating the backlog and preventing future ones. For that purpose, the production of one *Repertory* volume per year should be required.

III. *Repertoire of the Practice of the Security Council*

A. Status of the *Repertoire of the Practice of the Security Council*

1. Publication of the tenth Supplement

23. During the period under review, the tenth Supplement to the *Repertoire of the Practice of the Security Council*, covering the period 1985-1988, was published in English. It is expected that the translation of this Supplement into French will be completed by the end of 2000.

2. Preparation of the eleventh Supplement

24. Progress has been made in the preparation of the eleventh Supplement, which will reflect the increased volume of activity of the Security Council and its changing practice during the period 1989-1992.

3. Placement of the *Repertoire* on the Internet

25. As suggested by several Member States, the *Repertoire* and its 10 published Supplements, covering the period 1946-1988, have been placed on the Internet, in their English version. They are available on the web site of the United Nations (Department of Political Affairs, Security Council), as fully searchable files.

B. Elimination of the backlog in the publication of Supplements to the *Repertoire of the Practice of the Security Council*

26. Even though every effort has been made to use available resources in the most efficient way, recent experience has confirmed that the Security Council Practices and Charter Research Branch needs further strengthening if the next Supplements to the *Repertoire* are to be prepared in a timely manner.

27. It may be recalled that, in order to eliminate the existing backlog, two options were considered in paragraphs 29 and 30 of the previous report (A/54/363): the provision of voluntary contributions and the establishment of a specific training programme for junior Professionals.

1. Establishment of the Trust Fund for the Updating of the *Repertoire*

28. Thanks to a generous contribution from the United Kingdom of Great Britain and Northern Ireland, a Trust Fund for the Updating of the *Repertoire* was established in May 2000 and an appeal for contributions from all Member States was subsequently made. The response to that appeal will largely govern the pace at which the backlog will be eliminated. Additional contributions are required to establish, on a temporary basis, a team of experts who would prepare the twelfth Supplement while the core staff of the Security Council Practices and Charter Research Branch would draft the following one, covering the most recent time period.

2. Recourse to interns and junior Professionals

29. The second option envisaged last year, namely the establishment of a training programme for junior Professionals, will be considered at a later stage, once the Security Council Practices and Charter Research Branch has obtained additional resources and enhanced its supervisory capacity. Meanwhile, it will use the services of interns and experts within the framework of existing programmes. An extension of the duration of the internships, as mentioned in paragraph 9 above, would greatly benefit the *Repertoire* as well as the *Repertory*.

3. Training of staff

30. As resources are being developed for the updating of the *Repertoire*, the Security Council Practices and Charter Research Branch is training newly recruited staff, who are assisting in the preparation of the eleventh Supplement. As a result, it is expected that the total time for drafting that Supplement will be held to four years, thus halting the trend towards a widening of the backlog.

IV. Conclusions

31. In the period under review, the Secretariat continued the implementation of General Assembly resolutions 52/161, 53/106 and 54/106 regarding the preparation of volumes III and IV of Supplement No. 5 and volumes I, II, III, IV and V of Supplement No. 6. Volumes III and IV of Supplement No. 5 were completed and are being processed for publication. Volume I of Supplement No. 6 has been completed and will be published in 2001. Volume II of Supplement No. 6 has progressed considerably and is expected to be finalized in the latter part of 2001. Work on volumes III and IV of Supplement No. 6 has also progressed during the current year and volume IV will be completed by the end of 2001. Volume V of Supplement No. 6 has also advanced and the work will be finalized by mid-2001. As regards Supplement No. 7 (covering the period from 1 January 1985 to 31 December 1988), work has started on volumes II and VI.

32. With respect to the *Repertoire*, progress has been made in the preparation of the eleventh Supplement (1989-1992), which should be completed within two years. A Trust Fund for the Updating of the *Repertoire* was established and an appeal for contributions has been made. Further support is needed to recruit an additional team of experts who would work simultaneously with the core staff of the Security Council Practices and Charter Research Branch on the next two Supplements. The development of a specific training programme for junior Professionals will be considered at a later stage, once the Branch has obtained the resources needed to enhance its supervisory capacity.

33. In the light of the above, the General Assembly may wish to:

(a) Note that volumes III (Articles 55-72) and IV (Articles 73-91) of Supplement No. 5 to the *Repertory* were completed in 2000 and will be published in 2001;

(b) Note that volume I of Supplement No. 6 of the *Repertory* has been completed and will be published in 2001, work has progressed considerably on volumes II, IV and V of Supplement No. 6 and will be completed by the end of the biennium 2000-2001, and work on volume III is in progress;

(c) Note that work has started on volumes II and VI of Supplement No. 7 and that work on volume IV of Supplement No. 7 will start in 2001;

(d) Note that *Repertory*-related tasks are included as distinct activities within the relevant sections of the programme budgets of the Organization;

(e) Note that the tenth Supplement of the *Repertoire of the Practice of the Security Council* has

been published in English and is being translated into French;

(f) Note that all published volumes of the *Repertoire* are available on the Internet;

(g) Note that a Trust Fund for the Updating of the *Repertoire* has been established and that additional contributions are needed to finance a project aimed at eliminating the current backlog through the simultaneous preparation of two Supplements;

(h) Note the efforts of the Secretary-General to reduce the backlog of the Supplements to the *Repertory* and to the *Repertoire*.

Notes

[1] The Committee is composed of representatives of all Secretariat units involved in the preparation of Supplements to the *Repertory* (see annex I) and is responsible for directing and overseeing the preparation and publication of those Supplements.

Annex I

Secretariat units bearing primary responsibility for the preparations of studies on individual provisions of the Charter of the United Nations

Office of Legal Affairs	Articles 1 (1), (3) and (4), 2 (1) to (3) and (5) to (7), 7, 13 (1) (a), 92 to 99, 102 to 105 and 108 to 111
Department of Political Affairs	Articles 1 (2), 2 (4), 3 to 6, 10, 12, 13 (1) (a), 14, 16, 23 to 39, 73 to 85, 87, 88 and 107
Department of Political Affairs with Department of Peacekeeping Operations	Articles 40 to 54 and 106
Department for Disarmament Affairs	Article 11
Department of General Assembly Affairs and Conference Services	Articles 9, 15, 18, 20 to 22, 60, 61, 62 (3) and (4), 65 to 69, 72, 86, 89, 90 and 91
Department of Management	Articles 17, 19, 100 (1) and 101
Department of Management with Office of Legal Affairs	Article 100 (2)
Department of Economic and Social Affairs	Articles 8,[a] 13 (1) (b) and (2), 55 (a) and (b), 57 to 59, 62 (1), 63, 64, 70 and 71
Office of the United Nations High Commissioner for Human Rights	Articles 13 (1) (b), 55 (c), 56 and 62 (2)
Office for Outer Space Affairs	Article 13 (1) (a)

[a] The Department of Management (Office of Human Resources Management) is responsible for the preparation of Article 8 for the period up to and including 1996. For the period 1997 onwards, that responsibility falls to the Department of Economic and Social Affairs.

Annex II

Secretariat units responsible for the coordination of the preparation of *Repertory* volumes

Volume	*Department*
I. (Articles 1 to 8)	Office of Legal Affairs
II. (Articles 9 to 22)	Department of General Assembly Affairs and Conference Services
III. (Articles 23 to 54, 106 and 107)	Department of Political Affairs
IV. (Articles 55 to 72)	Department of Economic and Social Affairs
V. (Articles 73 to 91)	Department of General Assembly Affairs and Conference Services
VI. (Articles 92 to 105 and 108 to 111)	Office of Legal Affairs